

ND MISS. FORM P3, COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT (4/00)

FILED
PAG 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

OCT 21 2019
DAVID CREWS, CLERK
BY *[Signature]* Deputy

Michael Freeman, Prose

Plaintiff

v.
MISSISSIPPI DEPARTMENT OF
CORRECTIONS, PELICIA HALL
COMMISSIONER, ET AL

Defendant

CASE NO.

4:19CV156-SA-DAS

PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

B. Name under which sentenced:

C. Inmate identification number:

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

E. Place of confinement:

Michael Anthony Freeman
Michael Anthony Freeman
39105
Unit 29-F
Parchman, MS 38938
Mississippi State Penitentiary

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or post office box number, city, state, ZIP)

Pelicia Hall
COMMISSIONER
301 N. LAMAR ST
JACKSON, MS 39201

Name:

JOEL HAMMON

Title (Superintendent, Sheriff, etc.):

CHAPLAIN

Defendant's mailing address (street or
post office box number, city, state, ZIP)

P.O. BOX 40

PARACHLAN, MS 38738

Name:

NANCY ROSS

Title (Superintendent, Sheriff, etc.):

DOCTOR/DIRECTOR

Defendant's mailing address (street or
post office box number, city, state, ZIP)

633 NORTH STATE ST.

JACKSON, MS 39202

Name:

N/A

Title (Superintendent, Sheriff, etc.):

N/A

Defendant's mailing address (street or
post office box number, city, state, ZIP)

N/A

N/A

(If additional Defendants are named, provide on separate sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court, state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? Yes No

4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s):

N/A

Defendant(s):

N/A

B. Court:

N/A

C. Docket No.:

N/A

D. Judge's Name:

N/A

E. Date suit filed:

N/A

F. Date decided:

N/A

G. Result (affirmed, reversed, etc.):

N/A

5. Is there a prisoner grievance procedure or system in the place of your confinement? Yes No

6. If "Yes," did you present to the grievance system the same facts and issues you allege in this complaint? (See question 9, below). Yes No

7. If you checked "Yes" in Question 6, answer the following questions:

A. Does the grievance system place a limit on the time within which a grievance must be presented? Yes No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed? Yes No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

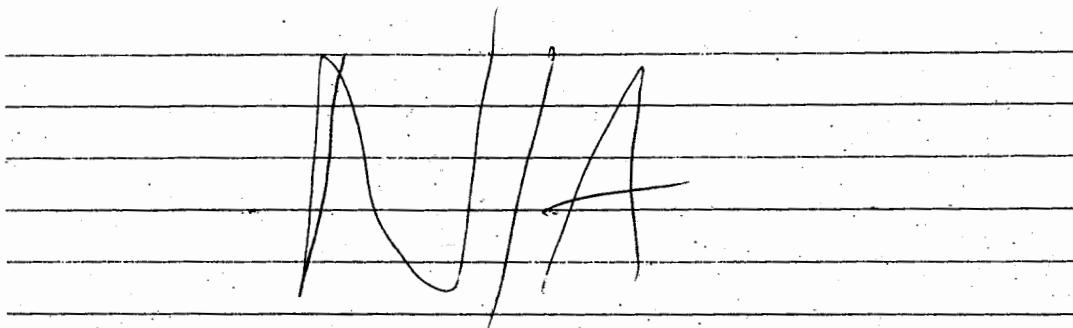
PLAINTIFF PRESENTED AN REQUEST FOR ADMINISTRATIVE REMEDY FEBRUARY 6, 2019 TO DEFENDANT PELICIA ~~REED~~ REQUESTING AN RELIGIOUS ACCOMODATION THAT PLAINTIFF IS AN MUSLIM, WHO WEAR DREADLOCKS AS AN SINCERE PART OF HIS RELIGIOUS BELIEFS THAT THE GROOMING POLICIES ON HIS DREADLOCK NOT APPLY TO HIM. UNDER THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSON ACT. THAT THE PROPHET MUHAMMAD TEACHINGS DIDNT PLACE RESTRICTIONS ON THE LENGTH OF DREADLOCK, HE FORBID 7-HAIRSTYLED HAIR

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

DEFENDANT HARRON RESPONSE ON RELIGIOUS ACCOMODATION WAS RECEIVE BY PLAINTIFF ON SEPTEMBER 4, 2019, DENYING REQUEST BASE ON HYGIENE & SECURITY ISSUES. PLAINTIFF APPEAL THAT DENIAL ON SEPTEMBER 5, 2019, THAT PROPHET MUHAMMED AN MUSLIM HAIR TO STAY CLEAN & NEAT. THAT THE COURT HAD ALREADY ALLOW ONE MOC IN STATE TO GROW DREADLOCKS. IN G.D. THOMPSON V MISSISSIPPI DEPARTMENT OF CORRECTIONS. NO CV-16-7-NBB-DAS 2017 LEC 3584919. DEFENDANT ROSS 2nd STEP RESPONSE DENYING REQUEST ONLY GIVES AN ~~HIGH~~ POOR RESPONSE.

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:



9. Write below, as briefly as possible, the facts of your case. Describe how each Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

PLAINTIFF IS AN MUSLIM WHO WEAR DREADLOCKS AS PART OF HIS RELIGIOUS BELIEFS. AT TIMES PLAINTIFF WAS TOLD HIS DREADLOCKS WERE TO LONG, AND IF CERTAIN PRISON OFFICIALS KNEW HOW THEY WERE THEY WOULD FORCE PLAINTIFF TO CUT HIS DREADLOCKS. PLAINTIFF FILED A GRIEVANCE AND ~~RE~~ SOUGHT AN RELIGIOUS ACCOMMODATION. TO DEFENDANT HALL ON FEBRUARY 6, 2019, PLAINTIFF RECEIVE DEFENDANT HAMMON DENIAL OF REQUEST ON SEPTEMBER 4, 2019, ALMOST 7 MONTHS AFTER GRIEVANCE WAS PRESENTED. IN FEBRUARY 2019, PLAINTIFF APPEAL THAT DENIAL OF REQUEST ON SEPTEMBER THAT THE GROOMING POLICY VIOLATED PLAINTIFF RELIGIOUS BELIEF TO WEAR UNSHORN DREADLOCKS. PLAINTIFF RECEIVE DEFENDANT DENIAL OF REQUEST ON OCTOBER 11, 2019. DEFENDANT ROSS. PLAINTIFF FILED AN 1985 AND MOTION FOR PRELIMINARY

junction to prevent prison officials from cutting Plaintiff dreadlock until the merits are heard on an final hearing.

10. State briefly exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

TO enjoin Mississippi Department of Corrections from enforcing the grooming policies against the Plaintiff. That as an Muslim, dreadlocks are an sincere held Religious Belief. That the Prophet Muhammad only forbiden 7 styles of Hairstyle an Muslim could not wear, and dreadlocks were not one of the style that many muslim male and female are wearing dreadlocks, just not indicative to an prison setting. Plaintiff just want to exercise his Religious Beliefs as other do, who exercise their beliefs without the threat of having his dreadlocks cut or cut completely from his head as prison officials do enforcing the grooming Policy.

This Complaint was executed at (location):

Mississippi State Penitentiary

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date: 10-12-19

Michael Freeman

Plaintiff's Signature

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

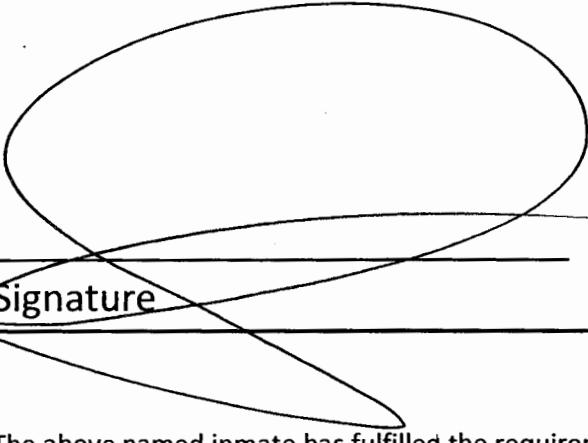
MSP-19-118

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Michael Freeman #39107**
Unit: **29F**

FROM: **Dr. Mary A. Ross**
Title: **Central Office**


Signature

9.27.19
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program and is eligible to seek judicial review within 30 days of receipt of the Second Step Response.

Michael Freeman
Inmate's Signature

39107
DOC #

10-11-19
Date

See attachment Next Page \Rightarrow

McDowell Freeman 39107
29-F # Bed 121
Prichard, MS 38738

Pro Se Law Clerk
U.S. District Court
203 Gilmore Drive
Amory, MS 38821

RECEIVED
OCT 21 2019
United States District Court
Northern District of Mississippi

